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Date: 1 September 2004

Coversheet + 3 Pages

RECIPIENT:

Examiner Snow
USPTO

FACSIMILE NO.:

703 746 3362

Regarding: U.S. Patent Application
Serial No.: 09/462,656
Applicant: A-Med Systems, Inc.
Docket No.: 9261.16761-CIP 2

Comments: In follow-up to our recent telephone conversation, attached please find a new Terminal Disclaimer to Obviate a Double Patenting Rejection regarding the above-referenced patent application.

From: Patricia A. Limbach
RYAN KROMHOLZ & MANION, S.C.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

Patent**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Aboul-Hosn

Docket No.: 9261.16761-CIP 2 PCT US

Serial No.: 09/462,656

Examiner: Bruce E. Snow

Filed: 14 January 2000

Group Art Unit: 3738

Title: Transport Pump and Organ Stabilization Apparatus Including Related Methods

**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Daniel D. Ryan, Esq. (Registration Number 29,243), state that I am attorney of record in the above-identified patent application (which I will call the '656 Application). The '656 Application is a continuation-in-part of Application Serial No. 08/933,566, filed on September 19, 1997, now U.S. Patent No. 6,083,260, which is a continuation-in-part of Application Serial Number 08/891,456, filed on July 11, 1997, now U.S. Patent No. 6,123,725.

I further state that A-Med Systems, Inc. is the assignee of 100% interest in the invention claimed and described in U.S. Patent 6,083,260 and the present '656 Application. The assignment of the U.S. Application Serial No. 09/304,750 (now U.S. Patent 6,083,260) by the inventor to A-Med Systems, Inc. is recorded in the United States Patent Office on Reel/Frame 009119/0582. The assignment of the '656 Application by the inventor to A-Med Systems, Inc. is recorded in the United States Patent Office on Reel/Frame 010593/0561. As a result, U.S. Patent 6,083,260 and the present '656 Application are commonly owned by A-Med Systems, Inc.

With respect to the '656 Application, A-Med Systems, Inc. hereby disclaims the terminal part of any patent granted which would extend beyond the expiration date of the full statutory term of U.S. Patent 6,083,260.

A-Med Systems, Inc. hereby agrees that any patent granted on the '656 Application shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to U.S. Patent 6,083,260. This agreement shall run with any patent granted on the '656 Application and shall be binding upon the grantor, its successors, or assigns.

A-Med Systems, Inc. does not disclaim any terminal part of any patent granted on the '656 Application prior to the expiration date of the full statutory term of U.S. Patent 6,083,260 in the event that U.S. 6,083,260 later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable; (3) is found invalid; (4) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); (5) has all claims canceled by a reexamination certificate; or (6) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

Pursuant to 37 C.F.R. 3.73(b), I hereby state that the evidentiary documents accompanying or referred to in this Terminal Disclaimer have been reviewed by the undersigned, and it is certified that to the best of the assignee A-Med Systems, Inc's knowledge and belief, title is in the assignee. I also state that I am authorized by A-Med Systems, Inc. to make this Terminal Disclaimer on its behalf.



A-Med Systems, Inc.

By
Daniel D. Ryan, Esq.
Registration Number 29,243
Attorney of Record

A-Med/18761-C/P 3/T Terminal Disclaimer - BOR